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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

DAC &amp; B

JFm

In Re U.S. Patent Application

Applicant: Nagasaka et al.

Serial No. 10/624,665

Confirmation No.: 7002

Filed: July 22, 2003

For: MAGNETORESISTIVE  
ELEMENT HAVING CURRENT-  
PERPENDICULAR-TO-THE-  
PLANE STRUCTURE

Art Unit: 2653

Examiner: Heinz, Allen J.

I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

May 22, 2006

Date

F-CLASS.WCM

Appr. February 20, 1998

Registration No. 47,954

Attorney for Applicant

**STATEMENT OF UNINTENTIONAL DELAY OF BENEFIT CLAIM UNDER 37**  
**C.F.R. 1.55(c)(3)**

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants' attorney hereby states that the entire delay between the date the benefit claim was due under 37 C.F.R. 1.55(a)(1) and the date the claim was filed (submitted herewith) was unintentional.

If any outstanding issues exist, the Patent Office is invited to contact Applicants' attorney at the below-listed number.

**Customer No. 24978**

May 22, 2006

300 South Wacker Drive  
Suite 2500

Chicago, Illinois 60606

Tel: (312) 360-0080

Fax: (312) 360-9315

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GREER, BURNS &amp; CRAIN, LTD.

By:

Josh C. Snider

Registration No.: 47,954



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May 22, 2006  
Date  
F-CLASS.WCM  
Appr. February 20, 1998

*[Signature]*  
Registration No. 47,954  
Attorney for Applicant

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED BENEFIT CLAIM**  
**UNDER 37 C.F.R. 119**

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully petition for acceptance of a benefit claim for the above-identified Application. The above-identified Application claims the benefit of Japanese Patent Application No. JP2002-214900, filed July 24, 2002. The above-identified Application was filed July 22, 2003, within one year of this Japanese Application.

This petition is accompanied by:

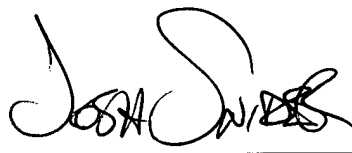
- (1) A certified copy of the priority document;
- (2) The surcharge set forth in 37 C.F.R. 1.17(t) in the amount of \$1370.00; and
- (3) A statement under 37 C.F.R. 1.55(c)(3), in a separate paper, that the entire delay between the date the claim was due under paragraph 37 C.F.R. 1.55(a)(1) and the date the claim was filed was unintentional.

As the requirements of 37 C.F.R. 119 are believed to have been met, Applicants respectfully request acceptance of the enclosed benefit claim. If any outstanding issues exist, the Examiner is invited to contact Applicants' attorney at the below-listed number.

The Commissioner is authorized to charge any additional fees, and to credit any refunds, to Deposit Account No. 07-2069. A duplicate of this Petition is enclosed.

GREER, BURNS & CRAIN, LTD.

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300 South Wacker Drive  
Suite 2500  
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By:   
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